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**FILED**  
MAY 18 2007  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BRANDI BROOKS,

Plaintiff,

VS.

BOARD OF REGENTS OF THE  
UNIVERSITY OF CALIFORNIA,

Defendant.

NO. **07-2662**

COMPLAINT FOR DECLARATORY  
RELIEF, INJUNCTIVE RELIEF  
AND DAMAGES

DEMAND FOR JURY TRIAL

42 U.S.C. Sec. 1981

Plaintiff alleges:

I

FACTS COMMON TO ALL CAUSES OF ACTION

1. Plaintiff, BRANDI BROOKS, is a Black (African American) female and was employed by the University of California at Oakland, California.

2. Defendant, BOARD OF REGENTS OF THE UNIVERSITY OF CALIFORNIA, is a public entity of the State of California and owns, operates and maintains the campuses of the University of California in the State of California.

3. On or about December 4, 2000, Plaintiff was employed as a Licensing Assistant in the Office of Technology Transfer, University of California at 1111 Franklin Street, Oakland, California.

4. During the entire tenure of her employment by Defendant, Plaintiff has always

1 performed all of her assigned and related duties in an excellent fashion.

2 5. Notwithstanding, Plaintiff has been subjected to egregious, unlawful, discriminatory  
3 employment practices culminating in the termination of her employment on or about October 3,  
4 2005, without cause or provocation.

5 6. As a direct result of the acts and conduct of Defendant as alleged herein, Plaintiff has  
6 suffered and continues to suffer substantial loss of earnings and related employment benefits in  
7 an amount to be proven at trial herein as alleged below.

## 8 II

### 9 FIRST CAUSE OF ACTION PURSUANT TO 42 U.S.C. 1981

10 7. As a first, separate and distinct cause of action, Plaintiff complains of Defendants and  
11 each of them, jointly and severally, and for a cause of action alleges:

12 8. The allegations of paragraphs 1 through 6 above are re-alleged and incorporated herein  
13 by reference.

14 9. Jurisdiction of this Court is invoked pursuant to the provisions of 28 U.S.C. Section  
15 1331 to enforce the provisions of 42 U.S.C. 1981 which guarantees, among other things that all  
16 persons shall have the same right in every State and Territory to make and enforce contracts, to  
17 sue, be parties, give evidence and to the full and equal property as is enjoyed by white citizens.

18 9. Venue is proper in the Northern District of California.

19 10. As a direct result of the acts and conduct of Defendant, as alleged herein, Plaintiff  
20 has suffered loss of and continues to suffer substantial loss of earnings and related employment  
21 benefits in an amount to be proven at trial herein.

22 11. In doing the acts and in engaging in the conduct herein alleged, Defendant intended  
23 to and did vex, harass, annoy and cause Plaintiff to suffer and continue to suffer severe emotional  
24 distress for which Plaintiff has been compelled to seek and continue medical care and incur  
25 medical expenses therefor.

## 26 V

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays judgment against Defendant as follows:

(A) Grant Plaintiff a declaratory judgment that Defendants have violated Plaintiff's rights as guaranteed by, 42 U.S.C. Section 1981 in committing the acts and in engaging in the conduct complained of herein;

(B) Permanently enjoin Defendants, their agents, successors, and employees and those acting in concert with them from engaging in each of the unlawful practices and policies complained of herein;

(C) Award Plaintiff damages for all earnings lost, including future earnings loss and for loss of related employment benefits;

(D) Award Plaintiff damages for lost career and employment opportunities;

(E) Order that all negative material be removed from Plaintiff's personnel file or any other files or records maintained in connection with Plaintiff's employment;

(F) Award Plaintiff damages for severe psychological harm in an amount to be proven at trial;

(G) Award Plaintiff costs of suit;

(F) Grant Plaintiff reasonable attorney's fees; and

(G) Grant Plaintiff such other and future relief as the Court may deem proper and just.

II

SECOND CAUSE OF ACTION

CALIFORNIA GOVERNMENT CODE SECTIONS 12900, ET SEQ.,

12940a and h

As a second, separate and distinct cause of action, Plaintiff complains of Defendants and each of them, jointly and severally, and for a cause of action alleges:

12. The allegations of paragraphs 1 through 11 above are re-alleged and incorporated herein by reference.

1 13. Jurisdiction of this Court is invoked pursuant to the provisions of Government Code  
2 Section 12965, as amended, seeking a declaratory judgment, injunctive relief and damages for  
3 violations of Plaintiff's employment rights as protected by the Fair Employment and Housing  
4 Act, (FEHA), Government Code Section 12940a and h, which prohibits discrimination, among  
5 others, on account of race, color and national origin/ancestry, sex, and retaliation for protesting  
6 violations of said Fair Employment and Housing Act.

7 14. Said conduct against Plaintiff as alleged in paragraph 5 above, were taken against  
8 Plaintiff on account of her race, color, and national origin, sex, and in retaliation against her as  
9 alleged herein.

10 15. As a direct result of the acts and conduct of Defendant, as alleged herein, Plaintiff  
11 has suffered loss of and continues to suffer substantial loss of earnings and related employment  
12 benefits in an amount to be proven at trial herein.

13 16. In doing the acts and in engaging in the conduct herein alleged, Defendant intended  
14 to and did vex, harass, annoy and cause Plaintiff to suffer and continue to suffer severe emotional  
15 distress for which Plaintiff has been compelled to seek and continue medical care and incur  
16 medical expenses therefor.

17 17. Plaintiff duly filed an administrative charge of discrimination herein with the  
18 California Department of Fair Employment and Housing (DFEH) which duly issued a notice of  
19 right to sue herein. Within 60 days after the filing of said complaint, Plaintiff duly served same  
20 on Defendants by certified mail. Plaintiff has exhausted all of her administrative remedies  
21 herein, and this action has been timely filed.

22 VI

23 PRAYER FOR RELIEF

24 PRAYER FOR RELIEF

25 WHEREFORE, Plaintiff prays judgment against Defendant as follows:

26 (A) Grant Plaintiff a declaratory judgment that Defendants have violated Plaintiff's rights  
27

as guaranteed by, Government Code Section 12900, et seq., in committing the acts and in engaging in the conduct complained of herein;

(B) Permanently enjoin Defendants, their agents, successors, and employees and those acting in concert with them from engaging in each of the unlawful practices and policies complained of herein;

C) Award Plaintiff damages for all earnings lost, including future earnings loss and for loss of related employment benefits;

(D) Award Plaintiff damages for lost career and employment opportunities;

(E) Order that all negative material be removed from Plaintiff's personnel file or any other files or records maintained in connection with Plaintiff's employment;

(F) Award Plaintiff damages for severe psychological harm in an amount to be proven at trial;

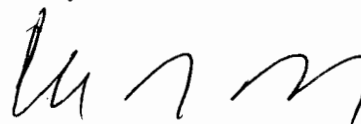
(G) Award Plaintiff costs of suit;

(H) Grant Plaintiff reasonable attorney's fees; and

(I) Grant Plaintiff such other and future relief as the Court may deem proper and just.

Dated: May 18, 2007

Respectfully submitted.



CURTIS G. OLER  
Attorney for Plaintiff